PROJECT DESCRIPTION

3.1 - Project Objectives

The California Environmental Quality Act (CEQA) requires that the lead agency identify the objectives and underlying purpose of the proposed project (Guidelines 15124(b)). The basic purpose of the Marina Park project is to enhance recreational and community facilities on the Balboa Peninsula. To achieve that purpose, the City of Newport Beach has established five basic objectives.

- Redevelop the site with land uses that are consistent with, and permitted by, the legal restrictions on the use of tidelands.
- Enhance public access and community facilities on the site.
- Complement efforts to revitalize Balboa Village and enhance other commercial areas on the peninsula.
- Provide community facilities to meet the goals of the General Plan for recreation and harbors and beaches.
- Provide for additional marine-related facilities that can be used by coastal visitors for sailing and boating.

The objectives for the project are based on the City's analysis of the need for modern recreational and community facilities on the Balboa Peninsula and for additional visitor-serving marina facilities, and builds on the goals set forth in the City of Newport Beach General Plan (City of Newport Beach 2006). General Plan goals call for the preservation and enhancement of water related public recreation and education areas and facilities (Harbors and Bay Element, Goal 1.1); the provision of youth programs (Recreation Element, Goal 4.3); the expansion of coastal and beach recreational opportunities, including the provision of recreational facilities (Recreation Element, Goals 6.1 and 7.1); the provision of marine recreational facilities (Recreational Element, Goals 8.2 and 8.5); and the enhancement of marine-oriented programs such as sailing programs (Recreation Element, Goal 8.7).

City policy calls for five acres of park per 1,000 residents. By that standard, according to recent City data, the City has an overall deficit of some 68 acres of parkland, not including beaches. The General Plan also identifies a need for community facilities that include large meeting and multipurpose rooms, because most existing City-owned indoor spaces are small classrooms. The Balboa Peninsula in particular currently has only 6.5 acres of park, since most of its recreational area is in beaches. The area needs an additional 21.5 acres of park to meet the City's standard, and the General Plan calls for additional pedestrian access and the renovation and expansion of community facilities such as the Balboa Center and facilities for sailing and boating programs.

With regard to visitor-serving marina facilities, recent estimates by the City of Newport Beach Harbor Resources Division have identified a market demand for approximately 17,000 berth-days of public berth occupancy per year. Visiting boaters must use moorings, which restricts their access to shore facilities and to boaters with the experience, ability, and vessel characteristics that allow them to use moorings (for example, many aging, physically handicapped, or inexperienced boaters, boaters with children, and boaters whose vessels lack electrical and sanitation systems cannot readily use moorings for a stay of several days). As a result, potential visitors tend to favor other harbors (e.g., Dana Point, Long Beach, and Huntington) that can provide slips or side-tie space. The proposed project would address established City policy as expressed in the General Plan Harbor and Bay Element (e.g., policies HB-2.1.1 Public Access and HB-2.1.7 Visiting Vessels) and in the Local Coastal Program (e.g., Section 3.3). Both documents encourage expansion and improvement of waterfront access and facilities for visiting vessels. In addition, Section 30224 of the California Coastal Act encourages the provision of berthing space, harbors of refuge, and new protected waters dredged from dry land.

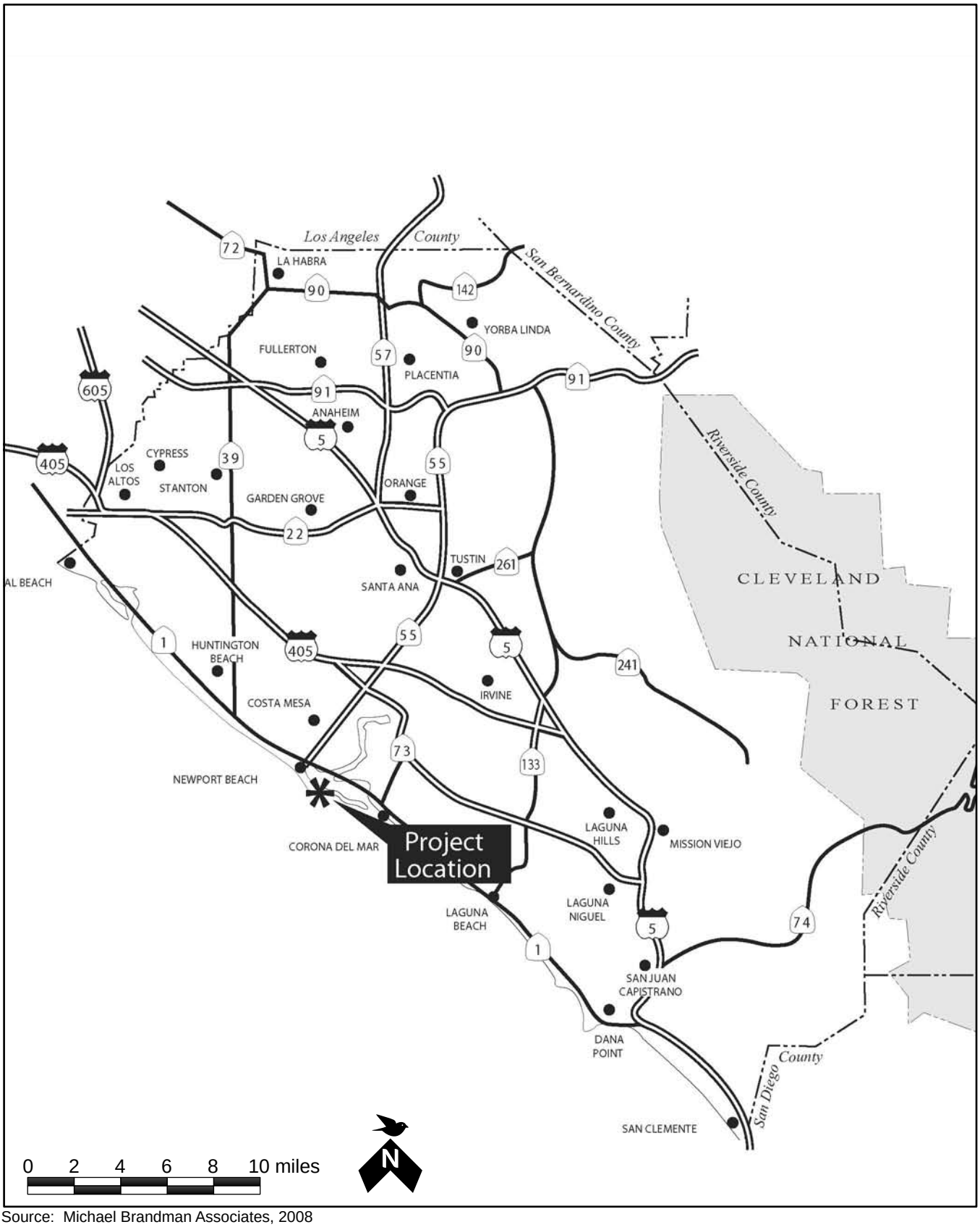
3.2 - Project Location

The Project is located in the southwestern portion of the City of Newport Beach in Orange County, California (**Exhibits 3-1** and **3-2**) in an area known as the Balboa Peninsula. The project site encompasses approximately 10.45 acres and is located between Balboa Boulevard on the south and Newport Bay on the north, and between 15th Street on the east and 19th Street on the west. Major arterial access is provided along Balboa Boulevard with secondary access to the project site along 15th Street, 18th Street, and 19th Street. Regional freeway access to the site is provided by the Costa Mesa Freeway (SR 55) and the San Joaquin Hills Transportation Corridor (SR 73).

3.3 - Existing Conditions

The project site is currently occupied by the Marina Park mobile home park, a public beach, Las Arenas Park, a small community center (Balboa Community Center, 4,710 sq. ft.), a Girl Scout house (5,500 sq. ft.), tennis courts and a small children's playground, basketball courts, public parking lots, a vacant SCE facility (to be purchased by the City), Veteran's Park, and public restrooms (**Exhibit 3-3**). The site supports a small dinghy sailing program on the beach at 18th Street. The project site does not include two parcels at the corner of 15th Street and Balboa Boulevard currently occupied by commercial and residential uses, nor the Orange County Sanitation Districts' pumping station on Balboa Boulevard adjacent to those two parcels.

The Marina Park mobile home park, which is approximately 50 years old, has 57 mobile homes on approximately 4 acres. Its occupants include approximately 15 full-time residents and 41 part-time tenants (plus an office). An alley south of the mobile home park has 73 parking spaces dedicated to the mobile home park. The public beach occupies all of the waterfront of the project site from American Legion Post 291 on the east to 19th Street on the west, and includes public restrooms at the

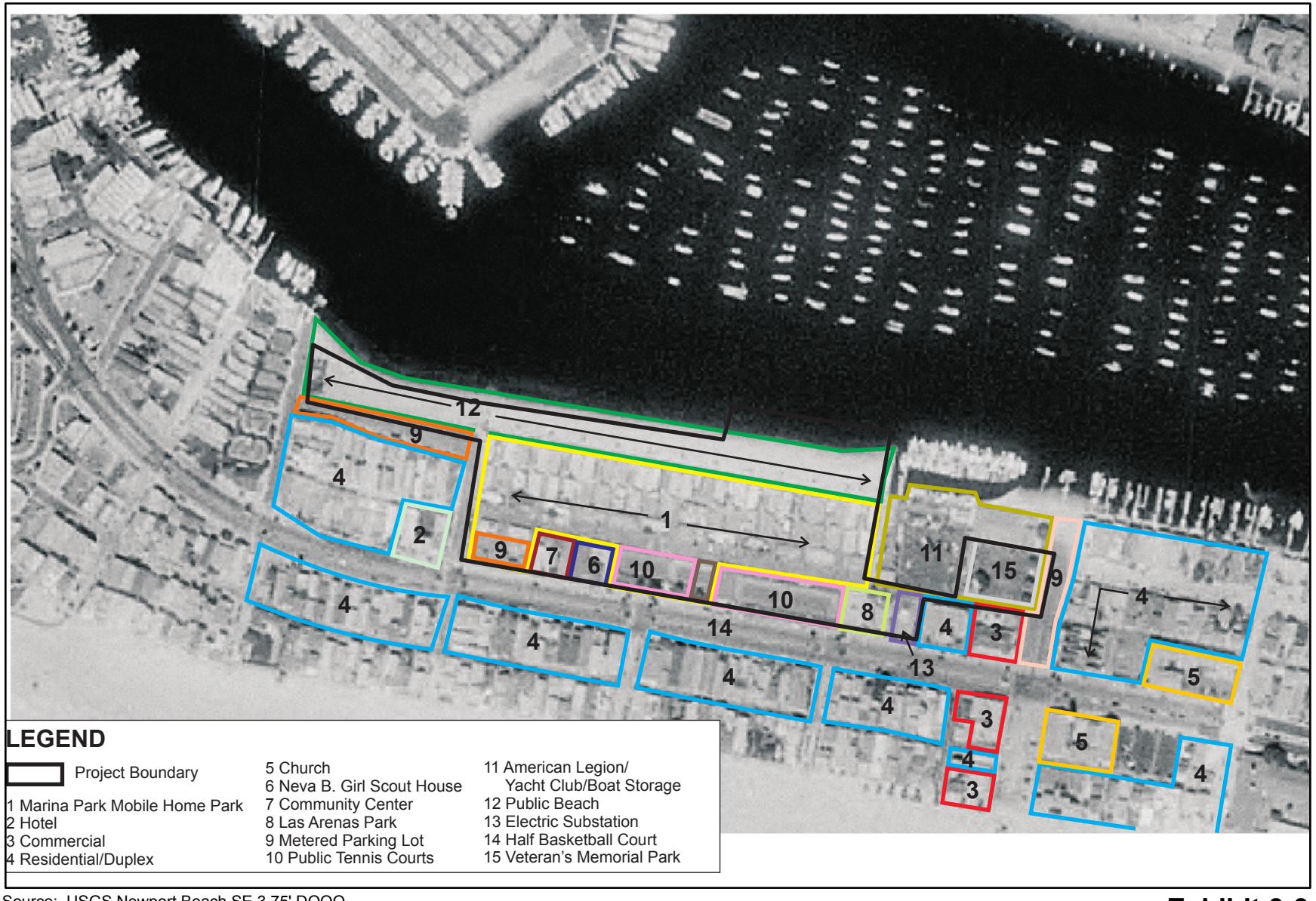


Source: Michael Brandman Associates, 2008

Exhibit 3-1
Regional Location Map

Source: Thomas Guide Digital Edition, 2003

Exhibit 3-2
Local Vicinity Map



Source: USGS Newport Beach SE 3.75' DOQQ

Exhibit 3-3
Onsite and Surrounding Land Uses

west end. The current uses at the site generate a calculated average of approximately 370 vehicle trips per day (see Section 5.11 Transportation and Traffic), mostly from the mobile home park. The American Legion facility includes a small marina with slips and boat storage, but the American Legion facility is not part of the project site.

The majority of the project site is designated Park and recreation (PR) and zoned Planned Community (PC). The SCE parcel (number 13 on **Exhibit 3-3**) is designated Public facilities and zoned General Educational Institutional Facility (GEIF).

The activities of the existing uses as of the date of the Notice of Preparation (May 22, 2008) constitute the CEQA Baseline against which the impacts of the proposed project and alternatives are compared in Sections 5 and 6.

3.4 - Proposed Project

3.4.1 - Project Features

The proposed project would redevelop the Marina Park site to provide additional public recreational and community activities facilities. The project has been divided into three phases that could be individually implemented.

Phase 1

In Phase 1 (**Exhibit 3-4**) the existing mobile home park (coaches), including its surrounding walls, would be removed. Two of the existing mobile home structures would be retained and converted to office space for construction contractors and, subsequently, recreation and park maintenance staff. The site of the mobile home park would be converted to underlying material crossed by pedestrian access paths. A new temporary restroom facility and parking lot would be installed. All other major existing features would remain.

Minor pedestrian and vehicular access improvements would be installed. Two concrete walks would be constructed to provide pedestrian access (compliant with Americans with Disabilities Act) from the new parking lot to the existing beach. ADA-compliant pedestrian access from Balboa Boulevard would be enhanced by providing access gates in the existing fences located at the half basketball court and the parking lot between the Girl Scout House and the community center, and a new crosswalk would provide beach access from the vicinity of Las Arenas Park. The existing sidewalk and stairs adjacent to the beach would remain for beach access. The existing landscaping and benches adjacent to this sidewalk would remain. The alley between the mobile home park and the beach would be restriped to provide 105 regular parking spaces and five handicapped spaces, and removal of an existing gate near the American Legion facility would provide continuous vehicular access from 15th Street to 18th Street. A new restroom facility (compliant with Americans with Disabilities Act) will be provided and will utilize the existing utilities which currently serve the mobile home site. Finally, a new portable lifeguard tower would be installed on the beach to be staffed by the City Fire Department during the summer months.

Source: Rabben/Herman design office, 2009

Exhibit 3-4
Phase 1 Site Plan

Phase 2

Phase 2 (**Exhibit 3-5**) would replace the underlying material from Phase I with new turf with irrigation, additional pedestrian paths, and picnic facilities to enhance the public park, but no other changes from Phase 1 would occur.

Phase 3

Phase 3 would consist of the final buildout (**Exhibit 3-6**; **Table 3-1**). Essentially all of the existing site features, including those installed in phases 1 and 2, would be removed and replaced by:

- a Multi-Purpose Building and a Sailing Program Building, which together would comprise the Balboa Center complex;
- a new Girl Scout building (to be constructed separately by the Girl Scouts; City to provide building pad and utility connections);
- expanded public parking areas;
- an expanded public park with basketball half-courts, a water feature, lawns, a public restroom, and a children's play area; and restroom facility (Lighthouse)
- two lighted tennis courts;
- a new restroom at the 19th Street end of the beach;
- re-configured landscaping; and
- a new marina to accommodate short-term visits by recreational vessels and sailing center docks and boats.

The exception would be the small-boat beach launching facility at the foot of 18th Street, which would remain.

Balboa Center

The Balboa Center complex would be located approximately at the east end of the area currently occupied by the mobile home park. Facilities would include the 10,560-sf (square foot) Multi-Purpose Building, the 11,034-sf Sailing Program Building, and adjacent paved pedestrian areas, and would support educational classes and community events. The Multi-Purpose Building would include classrooms, reception and offices, open spaces to support a variety of community activities, and restroom facilities. The Sailing Program Building would include classrooms, a flexible meeting room, reception and offices, restroom and locker room facilities, marina services facilities such as laundry and an office, indoor boat and equipment storage, and a small café (seating for 56) intended to serve on-site workers and visitors (e.g., staff, visiting vessel crews, participants in Balboa Center and local community programs). Both buildings would be two-story structures with large, second-story outdoor decks. The buildings would be supported on foundations of either pilings or stone columns. Building designs would incorporate sustainable elements which may include moveable sun screening, reflective roof coating, and rainwater collection devices.

Source: Rabben/Herman design office, 2009

Exhibit 3-5
Phase 2 Site Plan

Source: Rabben/Herman design office, 2009

Exhibit 3-6
Phase 3 Site Plan

Table 3-1: Phase 3 Project Components

Component	Area/Quantity
Multi-Purpose Building at the Balboa Center Complex	10,560 sf
Sailing Program Building at the Balboa Center Complex	11,034 sf
Visiting Vessel Marina	23 Slips + side tie
Beach Area (sidewalk to mean high water level; marina to 19th Street)	1.6 acres
Girl Scout Building	5,500 sf
Lighthouse Restroom and 19th Street Restroom	970 sf
Children's Play Area - Active Play Equipment Area	6,160 sf
Children's Play Area - Water Play Area	2,520 sf
Tennis Courts	14,750 sf
Basketball Courts	2,900 sf
Parking	159 spaces
Total Floor Space = 27,094 sf, Floor Area Ratio = 6%	
Notes: sf = square feet Source: Rabben/Herman Design Office, October 2009.	

Architectural features would consist of a 73-ft-high representation of a lighthouse and a sail-shaped roof on the Sailing Program Building.

Girl Scout Building

The Girl Scout building would be a new 5,500-sf structure located at the corner of 18th Street and Bay Avenue. The building is expected to be a one-story structure approximately 23 feet high with entrances from the north and south sides, a lobby/assembly area, an office, two large troop activity rooms, a small kitchen, storage spaces, and showers and restrooms. The facility would include approximately 1,500 sf of enclosed outdoor space. Design would incorporate sustainable elements which may include moveable sun screening, reflective roof coating, and rainwater collection devices.

Park Facilities

The proposed project would increase public park area from approximately two acres at present to nearly five acres, or approximately one-half of the site. The beach would be approximately 1.6 acres, which would be 0.37 acres smaller than the existing beach as a result of installation of the marina facility. The park would include a pedestrian entrance at 17th Street providing a view of the bay; two half-court basketball courts; a children's play area; benches and picnic tables; a water play feature (such as a spray park feature); beach access; and restroom facilities with outdoor showers, including a new restroom at the 19th Street end of the beach that could be installed separately from the rest of the Phase 3 features. Two tennis courts would be located adjacent to 15th Street, east of the American Legion post on the site of the existing Veteran's Memorial Park.

The park would consist largely of turf, with specimen trees (many salvaged from the existing site) and accent shrubs and groundcover selected and located so as not to obstruct bay views. Landscaping

would include bioswales and biocells to capture and treat storm water. Paved pathways would connect the park entrance to the Balboa Center, the children's play area, and the beach. Pedestrian access from the parking lots to the beach at the east end of the site would be via walkways between the Balboa Center buildings and along 15th Street. The play area would have a rubberized surface, an adjacent restroom in the form of a short lighthouse (the lighthouse is not intended to serve as a visible working lighthouse), and protective canopies. The area and the play equipment would have a nautical theme reflecting the configuration of Newport Harbor. The park and its facilities would include security lighting and, for the tennis courts, area lighting with glare-minimizing technology. The lighthouse structure would have a non-directional (i.e. not pointed in a particular direction) light in the beacon house at the top that would serve to emphasize the nautical theme of the park.

Parking

There are currently 24 publicly accessible parking spaces on-site and 102 private spaces in the mobile home park. The main project parking lot (133 spaces) would be located at the east end of the site, along Balboa Boulevard. The parking lot would be accessed from a driveway opposite 16th Street and would be configured to facilitate drop-off/pick-ups at the Balboa Center. A smaller parking area (26 spaces) serving the Girl Scout Building and the children's play area would be provided along 18th Street. Both parking lots (with a total of 159 spaces) would have permeable pavement to minimize storm runoff and improve runoff water quality. In addition, 18th Street would be widened to provide parking on both sides, which would add four spaces, but the various pedestrian access improvements would eliminate 13 existing on-street parking spaces on Balboa Boulevard (there are currently 48 on-street spaces adjacent to the site along Balboa Boulevard and 18th Street), for a net loss of nine on-street spaces. In total the project would result in a net increase of publicly available parking in the area of 126 spaces.

Marina

The proposed visiting vessel marina facility, adjacent to the existing property leased to the American Legion, would include floating docks anchored by pilings to provide 23 slips (21 for boats up to 40 ft, 2 for boats up to 57 ft), a floating dinghy storage dock, dockside utility hookups, a 200-ft-long dock on the bayfront that could accommodate additional vessels and boating events, and security fencing and lighting. The docks would include an Americans with Disabilities Act-compliant access ramp and non-lethal pinniped (i.e., seals and sea lions) deterrence features, to be developed in consultation with NOAA Fisheries. The marina would also include basin water circulation enhancement devices, the design of which would be developed in consultation with the appropriate regulatory and resource agencies. In addition, the marina would have a new concrete groin at its western end (approximately at 17th Street) to prevent siltation in the new marina (an existing groin adjacent to the American Legion marina would remain). The facility would be able to accommodate small-boat sailing programs as well as visiting yachts, and would thus be connected with the Sailing Center.

3.4.2 - Construction

Construction would proceed in three phases.

Phase 1

In Phase 1, construction equipment would be used to demolish the mobile home park (coaches), including porches, steps, planters, low landscaping, an existing block wall along 18th Street, and appurtenant structures. The existing trees (mostly palms) would remain. The utilities (meters and services laterals) which serve the mobile home units would be removed and capped, but the existing main line utilities (electrical, telephone and cable television) located in the existing alley would remain. The resultant debris (estimated at approximately 50,000 cubic feet) would be hauled away for recycling and disposal. The area occupied by the mobile homes would be graded to provide a park consisting of underlying native material. New gates and walkways would be installed for the access improvements.

Demolition and grading would require a work force of up to 15 workers and last approximately four weeks. Equipment would include mobile cranes, earthmoving equipment such as front-end loaders and heavy-duty dump trucks, and worker light vehicles.

Phase 2

In Phase 2, landscaping equipment would be used to install turf, irrigation systems, and decomposed granite pathways on the vacant area. Approximately four acres (170,000 sf) of sod and the required irrigation piping and valves would be delivered to the site by flatbed trucks, and approximately 65 tons of decomposed granite (for the pathways) would be delivered by dump truck. The sod, irrigation system, and decomposed granite would be placed by front-end loaders and manual labor. Phase 2 construction would require approximately 15 workers and last approximately eight weeks.

Phase 3

This description separates out the various construction activities, but it is likely that activities for some project elements would occur in a different order. For example, it is anticipated that the marina would be constructed before the Balboa Center and the park, in order to ensure that sufficient fill material is available for the various project features.

Demolition

In Phase 3, the remaining improvements on the site (i.e., the Girl Scout Building, the community center, the tennis courts, Las Arenas Park, the SCE facility, Veteran's Memorial Park, and the parking lots) would be demolished , the resultant debris would be hauled away for recycling and disposal (except material that could be re-used onsite as crushed base), and the site graded. Demolition would occur in phases to correspond with the construction phasing and so as to keep facilities open as and available as long as possible. Contaminated soil at the SCE site would be excavated and hauled away for disposal at an appropriate facility. Turf installed in Phase 2, if present, would be removed and either stockpiled for re-use on-site or, if re-use is infeasible, hauled away for disposal or re-use elsewhere in the city. The existing mature trees at Veteran's Park would be removed; the final design of the landscape plan has not been completed. The removal/relocation of trees (some of which would be relocated on-site) would be coordinated so as to avoid affecting active nesting migratory birds, including pre-construction biological surveys and on-site monitors. Demolition equipment would

include concrete saws, mobile cranes, a bulldozer, loaders, a water truck, dump trucks, a tree shredder, and worker light vehicles.

Upland Construction

Once demolition is complete the construction of the new improvements would begin. Site preparation would include the construction of new utility trenches to the locations of the buildings. All primary utilities are in place for the project site because of the existence of the mobile home park. Existing overhead utilities such as electrical, telephone and CATV will be relocated underground. The existing sewer and water mains will remain in place and will not be impacted by the proposed building locations. New service lines from the primary utility lines to the new buildings would be provided. Once site preparation is complete, building fabrication would proceed. Construction would incorporate storm water pollution and erosion controls in accordance with a site-specific storm water pollution prevention plan. Excavators and dump trucks would be used to construct the new utility trenches as well as foundation footings; and graders, loaders, a water truck, and rollers would construct the final grades, including the park contours. Demolition, trenching, and grading would generate approximately 130,000 cf (9,810 cy) of debris, require up to 20 workers, and last approximately three months.

If piling foundations are employed (as assumed in the impact assessment), an as-yet undetermined number of pilings would be driven to support the new buildings; pilings would be jetted into place to within five feet of the final depth then driven by a diesel-powered hammer (jetting uses water to erode away earth in advance of the pile). Each pile is expected to require approximately 100 hammer blows to install, and installation of all of the building foundation pilings would take approximately three weeks. If stone column foundations are employed, 36-inch-diameter stone columns would be installed to a depth of 30 feet and a structural mat foundation laid on top of the columns; pile driving would not be necessary. Flatbed trucks, asphalt trucks, and concrete trucks would deliver structural material to the site for the construction of the new buildings and associated structures (canopies, decks, sidewalks, parking areas, etc.). Mobile cranes, forklifts, front-end loaders, pavers, a roller, and miscellaneous equipment such as compressors, welding sets, and generators, would unload the trucks, assemble the structures, and install the paving. The City's contractor would construct the building pad and utility connections for the Girl Scout House, and the Girl Scouts' contractor would construct the building. All other construction would be accomplished by the City's contractor. Building and paving construction would require a construction force of up to 120 workers, on a peak day, and last approximately twelve months.

Marina Construction

Construction of the visiting vessel marina would require dredging (generally excavation below mean sea level is referred to as dredging), excavation, and pile driving. Prior to in-water construction the City would conduct an underwater survey for the presence of the invasive alga *Caulerpa taxifolia*, in accordance with the 2008 Caulerpa Control Protocol, and for eelgrass (*Zostera marina*). Preliminary excavation to approximately five feet below existing grade would define the new marina basin, then

approximately 1,000 linear feet of pre-stressed concrete sheet piling seawall would be installed along the three land sides of the new marina and a 70-foot-long sheet-pile groin would be installed just west of the new marina. On completion, the bottom of the marina would be at 10 feet below sea level. The current elevation of the land varies up to about 8 feet above sea level. Therefore the land portion of the marina excavation would occur to a depth of 20 feet below current grade. Soil can be excavated to a depth of about 5 feet; below 5 feet it is anticipated that soil would become very wet and would need to be dredged. Most of the dredging would be accomplished by sucking the wet sand onto a barge (hydraulic dredging); in deeper harder material, clam shell dredging would be used.

The Marina sidewalls (seawalls) would be supported by driving the concrete sheet piles to a depth below the bottom of the marina. Once the groin and seawall are in place, tiebacks for the seawall would be installed (to prevent overturning) and backfill completed. Approximately 0.66 ac of the intertidal area, and 0.9 ac of upland area would be dredged and excavated to complete the boat basin and seawall tiebacks. Excavated material would be utilized as on-site fill. Dredged material would likely be hydraulically dredged and loaded onto barges for transport to the designated near shore beach nourishment site(s). Material to be disposed of on shore would need to be pumped onsite and dried before transport to the beach nourishment site(s).

Pre-stressed concrete guide pilings ranging from 14" to 24" in diameter, depending upon their purpose (larger piles for the bayfront dock and 57-foot dock, smaller for the smaller docks and gangways) and the final design specifications, would be driven in the new basin. The pilings would be delivered to the marina site on a barge. Finally, the floating dock structures would be installed and the circulation enhancement devices would be installed.

Both sheet and guide piles would be installed by a combination of jetting and driving. Piles would be jetted to within 2 feet of final depth, then driven with a diesel-powered hammer for the final two feet; each pile would be expected to require approximately 40 hammer blows. Up to 300 sheet piles and 60 guide piles would be installed, which would take a total of approximately three months.

Dredging and marina excavation would produce approximately 62,000 cy of sand that would 1) be re-used on site (approximately 15,000 cy), and 2) be placed for beach replenishment at one or more of five potential locations (**Exhibit 3-7**) or, 3) for dredged material that is incompatible with off-site grain size (approximately 3,000 cy with insufficient sand content and up to 20,000 cy of sand that is potentially too coarse for near shore disposal) transported to the LA-3 offshore disposal site. The LA-3 site is located approximately 4.5 miles south-southeast of the Newport Harbor entrance and is operated by the US Army Corps of Engineers and the US Environmental Protection Agency. Sediments chemically unsuitable for those disposal options would be disposed of at an upland facility licensed to receive such materials. Beach replenishment would place material either directly onto the sandy beach (dry sand) using trucks, or in the ocean just offshore of the beach (near shore disposal) by a bottom dumping disposal barge (i.e. doors in the bottom of the barge open to deposit the sand)

Source: City of Newport Beach, Google Earth Pro, 2009

N

0 0.25 0.5 0.75 1 miles

Exhibit 3-7
Sand Disposal Locations

which would be towed along the shore by a tugboat. The specific beach replenishment sites would be selected on the basis of sand compatibility, chemical constituents in the dredge material, and site availability. Chemical tests of the material to be dredged and excavated indicate that no more than 3,000 cy of material, mostly from the channel portion of the dredging, would be unsuitable for re-use on ocean beaches, the project site, or disposal at LA-3. The potential beach disposal sites are:

1. The project site which would require approximately 15,000 cy for construction of building pads, parking lots and the park to achieve the proposed site elevations. The area between 18th and 19th on the Bay (approximately 70 feet wide, 400 feet long and 6 inches deep); accessible by truck for placement directly on the beach (dry sand), this site could accommodate 500 cy.

2. The ocean beach between 40th and 52nd streets (approximately 2,500 feet of beach); accessible by barge for nearshore disposal, this site could accommodate all of the project material.

3. The ocean beach between 6th and 16th streets (approximately 5,000 feet of beach); accessible by barge for nearshore disposal, this site could accommodate all of the project material.

4. The ocean beach from the Marine Center at Newport Beach Pier to 19th Street; accessible by truck only for placement directly onto the beach (dry sand), this site could accept up to 10,000 cy.

5. China Cove near the Newport Bay entrance channel; accessible by truck for placement directly onto the beach (dry sand), this site could accept up to 5,000 cy.

Dredging would be accomplished by a small, diesel-powered tugboat, a diesel-powered barge-mounted dredge, one or two barges and several heavy-duty trucks to haul the dredged/excavated material, and one or two small workboats. The dredges would likely be of both the clamshell and hydraulic type; the hydraulic dredge could be used to remove the soft upper layers and the clamshell would be used to remove the denser deep layers of sand. Dredged material would be placed at the receiving sites by bottom-dump barge (nearshore disposal) or truck (dry sand beach placement); material placed directly on the beach would be spread by a small bulldozer. Measures would be implemented to minimize water quality and biological impacts, including silt curtains at the dredging site; limiting the cycle time of the clamshell (i.e. slowing down the clam shell as it moves through the water and scoops up material which has the positive affect of reducing the turbidity in the water due to the clam shell dredging); restricting dredging and disposal near sensitive habitats, in accordance with the restrictions in Regional General Permit 67; and conducting water quality monitoring to assess turbidity levels.

Land-based earthmoving equipment such as excavators, scrapers, and heavy-duty dump trucks would accomplish the upland excavation (above an elevation of +5 ft mean lower low water [MLLW]). Construction of the seawall and pilings, as well as placement of the floating docks, would be accomplished by a pile-driver rig (likely mounted on the barge), a diesel-powered pile driver, a small

mobile crane, flatbed delivery trucks and concrete delivery trucks, miscellaneous equipment such as compressors and generators, and worker light vehicles. Marina construction would require a work force of approximately 30 workers and last approximately eight months, likely concurrent with the other Phase 3 construction activities.

Construction Schedule

Each phase of construction would have its own schedule. The most complicated construction schedule would be that of Phase 3, because the various activities would be interdependent (for example, fill for buildings and park feature would be generated by marina excavation, so that building construction could not start until marina construction had provided the required fill). The exact schedule for each phase would be determined by the construction contractor(s) in consultation with the Public Works Department. Total time to complete each phase is as follows:

- Phase 1: Approximately 4 weeks
- Phase 2: Approximately 8 weeks
- Phase 3: Approximately 31 months
    - Upland demolition, underground utilities and site preparation – approximately 3 months
    - Marina excavation, pile driving (up to 3.5 weeks of pile driving for guide piles and up to 10 weeks of pile driving for sheet piles), and building – approximately 8 months
    - Building construction – approximately 12 months (including up to 3 weeks of pile driving)
    - Park Construction – approximately 6 months

3.4.3 - Operation

Phases 1 and 2

The primary operational activities of the project in Phases 1 and 2 would be the existing community facilities (community center, Girl Scout House, Las Arenas Park, and tennis and basketball courts), the public beach, and the open space currently occupied by the mobile home park. Those activities would be expected to generate approximately 180 vehicle trips per day, approximately 100 fewer than under existing conditions because of the removal of the mobile home park.

Phase 3

At final buildout the primary activities would be recreation in the park, on the tennis courts, and on the beach; community activities, sailing activities, and educational classes at the Balboa Center complex and the Girl Scout facility; and visiting vessels at the marina. Marina Park would be maintained by the City of Newport Beach General Services Department or outside contractors. The visiting vessel marina would be operated by the Harbor Resources Division, with maintenance assistance from General Services and, possibly, outside contractors. Maintenance would include landscape maintenance, building maintenance, periodic road and parking lot sweeping, trash collection, structural repairs, and restroom maintenance, and would use typical maintenance equipment and supplies (e.g., mowers, spreaders, skip loaders, light-duty utility vehicles, garbage

trucks, motorized sweepers, paints, solvents, herbicides, fertilizers, and cleaning products). Marina maintenance general dock preventive maintenance including minor dredging every few years. Parking on the project site would be managed through the preparation of a Parking Management Plan designed to ensure that sufficient parking remains available for project uses (several strategies are available – see Appendix K.2; the City would select the most appropriate strategy after careful consideration of the data available).

Balboa Center

The Multipurpose Building would support a variety of City-sponsored programs for all age groups, including day camp, after-school programs, and special-interest classes for children; adult-oriented classes such as cooking, bridge, fitness, dancing, enrichment, and computers; and general-interest classes such as tennis and dog obedience. The building would also be available for private functions on a rental basis. Anticipated regular hours of operation would be 8 am to midnight daily.

The Sailing Program Building would support a range of ocean-based activities, expected to include sailing, windsurfing, rowing, canoeing, kayaking, marine science, boat safety/certification, and other programs, and non-maritime events such as banquets, award ceremonies, and association meetings. Classes and camps are expected to be offered year round. Water craft are expected to be available for rental daily during the summer months and on weekends during non-summer months. The Sailing Program Building could also be rented for private events year round. The café would be open for breakfast, lunch, and dinner all year round, and the Sailing Center would operate daily from 8 am to 10 pm.

Assuming typical uses of these types of facilities (e.g. banquets, classes, etc.) uses would generate approximately 487 vehicle trips per day, corresponding to approximately 600 visitors per day.

Girl Scout Building

The use of the new Girl Scout House would be the same as that of the existing facility, and would generate no additional vehicular traffic. During the school year (mid-September through early June) the Girl Scout House would be used Monday through Thursday for troop meetings and adult leadership meetings from approximately 1:00 PM until 9:00 PM. Girl Scout troops would visit the facility for overnight stays from Friday afternoon through Sunday afternoon. The current facility is normally booked every weekend from September through June, a pattern which would be expected to continue in the new facility. During the summer season (mid-June through early September), the facility would be utilized 7 days per week for troop stays spanning 3 to 5 days.

Park

The park is expected to be used for passive recreation such as walking, sitting, and picnicking, and small-scale activities such as children's play and pickup basketball. The park's configuration would be unsuitable for organized sports such as soccer and baseball. The tennis courts (which would be lighted during evening hours) would be open until 10 pm. Based on similar land uses, an average of approximately 77 vehicles per day, equivalent to about 130 people, would visit the park.

Marina

The marina would accommodate visiting recreational vessels (the term visiting vessels is used to refer to both visiting vessels that are defined as staying 1 to 14 days; and also short-term harbor based users that are defined as staying 15 to 30 days) for stays of up to 30 days. At present, most visiting vessels must use offshore moorings in Newport Harbor (only five public visiting slips are currently available), but those moorings have no access to utilities and shore services are not readily available to them. The marina would provide safe, sanitary facilities for visiting vessels. Mariners would have access to washing machines, showers, electricity, and sanitary facilities. In addition, the small boats of the sailing programs and other watersports programs would be based at the marina. The City will prepare and implement a Marina Management Plan based on the existing Clean Marina Program recently accepted by the State of California; that program has guidelines for best management practices (BMPs), including water pollution reduction measures, and sustainable boat maintenance practices (www.cleanmarinacalifornia.org). The Marina Management Plan would also include measures to manage marine mammal and recreational boat interactions in accordance with NOAA Fisheries and the California Department of Fish and Game guidelines. These measures would be based upon the existing City program for deterring marine mammals.

The City estimates that visiting vessels would stay at the marina berths for an average of seven days, and short-term, harbor-based users for an average of 21 days. The City estimates that the 23 berths and the side-tie space would accommodate some 8,400 berth-days of occupancy (C. Miller, pers. comm. 2009), which would correspond to approximately 1,200 vessel calls per year. This level of vessel activity is conservatively assumed to correspond to approximately 15 hours of marine engine use per day all year around. The marina is also assumed to generate approximately 68 vehicle trips per day, based upon the California Department of Boating and Waterways' use factors.

3.5 - Project Approvals

In order for the proposed project to be implemented, the project will need a number of approvals from local, state, and federal authorities.

3.5.1 - City of Newport Beach

The Newport Beach Municipal Code does not include a provision to exempt capital improvement projects, such as the Marina Park project. A city or county may exempt itself from the provisions of its own zoning regulations, or it may amend its Zoning Code to include a provision that the regulations shall not apply to capital improvement projects. Therefore, the City, in this particular case, intends to exempt itself from the provisions of its own zoning regulations.

Marina Park is a one-of-a-kind capital improvement project to construct a unique community center/park/beach/marina facility, and there are no specific development regulations or standards in the Code that apply to this type of facility other than the building height requirement. Should the City Council decide not to exempt this project from the zoning and development regulations of the Code, a use permit per the Newport Beach Municipal Code Section 20.65.055 and a modification permit per

the Newport Beach Municipal Code Section 20.65.070 would be required to allow the lighthouse architectural feature to exceed the 35-foot base height limit.

Regardless of the zoning and development issues, the City would be required to issue several permits and may need to undertake other approvals and ministerial actions as the project progresses. The required City permits are:

- Harbor Permit
- Demolition Permit
- Building Permit

The construction and operation of the Girl Scout building would require approval of a use permit.

3.5.2 - Responsible State Agencies

In addition to the discretionary actions required by City of Newport Beach, there are discretionary actions that will be required by other public agencies. These other public agencies are defined as Responsible Agencies in the CEQA Guidelines (Section 15381). Responsible Agencies for Marina Park are the California Coastal Commission, the Regional Water Quality Control Board, California Department of Fish and Game, and the California State Lands Commission. When the project applicant requests discretionary approval of components of the project, these agencies may consider the information in this EIR along with other information that may be presented during the CEQA process.

Responsible state agencies for the project have discretionary authority over the following:

California Coastal Commission	Coastal Development Permit
Regional Water Quality Control Board	Section 401 Certification
	General Construction Activities Storm Water NPDES Permit
California Department of Fish and Game	Section 1602 Agreement
California State Lands Commission	Jurisdictional Review.

3.5.3 - Responsible Federal Agencies

The proposed project would need a permit from the U.S. Army Corps of Engineers for dredging, filling, and structures in Waters of the United States; that permit would require that the USACE coordinate with the federal wildlife agencies concerning the project's potential effects on federally managed natural resources.

US Environmental Protection Agency	
U.S. Army Corps of Engineers….	Section 404 CWA/Section 10 RHA Permit/Regional General Permit 67, Ocean Disposal LA-3
National Marine Fisheries Service	Essential Fish Habitat Coordination
United States Fish and Wildlife Service	Endangered Species Act Coordination.